

EXHIBIT A

STATE OF SOUTH CAROLINA)

COUNTY OF ORANGEBURG)

ROBERT CALE SEIGLER,
Plaintiff,)

vs.)

MHART EXPRESS, INC.,
CUMMINS, INC., and
JOHN DOE, a fictitious name representing
an unidentified person operating a motor vehicle,
Defendants.)IN THE COURT OF COMMON PLEAS
OF THE FIRST JUDICIAL CIRCUIT

SUMMONS

CASE NUMBER: 2022-CP-38-_____

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, or otherwise appear and defend, and to serve a copy of your answer to said Complaint upon the subscriber at his office, 32 E. Main Street, P.O. Box 315, Williamston, South Carolina, 29697, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, or otherwise appear and defend, the Plaintiffs in this action will apply to the Court for the relief demanded therein, and judgment by default will be rendered against you for the relief demanded in the Complaint.

s/ G. Lee Cole, Jr.

G. Lee Cole, Jr.

SC Bar Number 100352

COX & COLE, ATTORNEYS AT LAW

Post Office Box 315

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LeeCole@CoxandCole.com

ATTORNEY FOR THE PLAINTIFF

Williamston, South Carolina

Dated: 08/19/2022

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	OF THE FIRST JUDICIAL CIRCUIT
COUNTY OF ORANGEBURG)	
)	
)	
ROBERT CALE SEIGLER,)	COMPLAINT
Plaintiff,)	(Jury Trial Demanded)
)	
vs.)	
)	CASE NUMBER: 2022-CP-38-_____
MHART EXPRESS, INC.,)	
CUMMINS, INC., and)	
JOHN DOE, a fictitious name representing)	
an unidentified person operating a motor vehicle,)	
Defendants.)	
_____)	

The Plaintiff, complaining of the Defendants herein, would respectfully show unto the Court and allege as follows:

1. That the Plaintiff is a citizen and resident of Anderson County, South Carolina.
2. That, upon information and belief, the Defendant, M. Hart Express, Inc., is an Indiana corporation doing business in South Carolina.
3. That, upon information and belief, the Defendant, Cummins, Inc., is an Indiana corporation doing business in South Carolina.
4. That the Defendant, John Doe, is a fictitious name representing the name of an unidentified person operating a motor vehicle who may have caused or contributed the motor vehicle collision described herein that occurred in Orangeburg County, South Carolina.
5. That the acts and omissions alleged in this Complaint occurred in Orangeburg County, South Carolina.
6. That this Court has jurisdiction over all the parties herein as well as the subject matter hereof, and venue is proper in Orangeburg County, South Carolina.
7. That on or about August 22, 2019, the Plaintiff was lawfully operating his motor vehicle on Interstate 26 in Orangeburg County, South Carolina, when the operator of another motor vehicle, owned or operated by one or more of the Defendants, committed acts or omissions

negligently, grossly negligently, carelessly, recklessly, willfully, wantonly, or intentionally in one or more of the following ways by:

- a. operating the motor vehicle is an unsafe and unlawful matter;
 - b. failing to exercise reasonable care in operating the motor vehicle;
 - c. failing to yield the right of way to the Plaintiff;
 - d. driving too fast for conditions;
 - e. failing to apply brakes;
 - f. improperly changing lanes;
 - g. failing to be aware of other motor vehicles;
 - h. causing a motor vehicle to collide with the motor vehicle of the Plaintiff;
 - i. driving his motor vehicle while distracted;
 - j. failing to stop and render aid to the Plaintiff after causing a motor vehicle collision with the Plaintiff;
 - k. fleeing the scene after causing a motor vehicle collision;
 - l. failing comply with the laws of this state; and,
 - m. in other ways that shall be proved at trial.
8. That, at all times relevant herein, said motor vehicle operator had a duty to the Plaintiff, and to all other persons lawfully on public roads, to operate the motor vehicle in a safe and lawful manner.
9. That, at all times relevant herein, one or more of the Defendants was the owner of the motor vehicle operated by the operator of the motor vehicle that committed the above-described acts or omissions.
10. That, at all times relevant herein, said motor vehicle operator was an employee or agent of one or more of the Defendants, and was acting in the scope of said employment.

11. That, at all times relevant herein, one or more of the Defendants, committed acts or omissions negligently, grossly negligently, carelessly, recklessly, willfully, wantonly, or intentionally, in one or more of the following ways by:
- a. allowing a motor vehicle to be operated in an unsafe or unlawful manner;
 - b. failing to properly supervise agents or employees;
 - c. failing properly train agents or employees;
 - d. allowing above-described motor vehicle operator to operate a motor vehicle when they knew or should have known that said operator would operate said vehicle in an unsafe or unlawful manner;
 - e. for all negligent acts of said motor vehicle operator pursuant to the doctrine of *respondeat superior*; and,
 - f. in other ways that shall be proved at trial.
12. That, at all times relevant herein, one or more of the Defendants, had a duty to the Plaintiff, and to all other persons lawfully on public roads, to properly supervise those who they allowed to operate a motor vehicle to ensure that said operation would be in a safe and lawful manner.
13. That as a result of one or more of the negligent, grossly negligent, careless, reckless, willful, wanton, or intentional acts or omissions of one or more of the Defendants complained above, one or more of the Defendants breached their duty to the Plaintiff, and as a direct and proximate result thereof, the Plaintiff suffered injuries and pain, suffered mentally and emotionally, incurred medical expenses, suffered property damage, and has otherwise been injured and suffered damages.
14. That the Plaintiff is informed and believe that he is entitled to an award of actual damages, compensatory damages, special damages, exemplary damages, and punitive damages against the Defendants, jointly and severally, in an amount to be determined by a jury or other trier of fact in this matter.

WHEREFORE, the Plaintiff prays for the following relief against the Defendants, jointly and severally:

1. For judgment in favor of the Plaintiff, against the Defendants, jointly and severally, for actual damages, compensatory damages, special damages, exemplary damages, and punitive damages in an amount to be determined by a jury or other trier of fact in this matter, together with prejudgment interest and post-judgment interest as allowed by law.
2. For any such further relief as this Court deems just and proper.

s/ G. Lee Cole, Jr.

G. Lee Cole, Jr.

SC Bar Number 100352

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ATTORNEY FOR THE PLAINTIFF

Williamston, South Carolina

Dated: 08/19/2022

THE PLAINTIFF DEMANDS A JURY TRIAL ON ALL ISSUES SO TRIABLE.

EXHIBIT B

New Service of Process Added to Matter Notification

*This message is an alert only. Please do not reply to this message.
The following new Document(s) have been added to the following matter.*

Alert Date: 10/23/2022

Assigned Document(s):

Document ID: [37230883](#) (View/Share the Document)
Document Title : Summons/Complaint
Answer Date : 30
Entity as Established : Cummins Inc.
Date Served : 10/20/2022
CSC Doc type : Summons/Complaint
Court : Orangeburg County Court of Common Pleas
State Served : South Carolina
Document is Time Sensitive :
Document is Service Of Process : Yes

Matter Information:

13108846

Matter ID: [13108846](#) (Go to Matter Detail Folders)

Matter Id :
Matter Full Name : Robert Cale Seigler vs. Mhart Express, Inc.
Jurisdiction : South Carolina
Court : Orangeburg County Court of Common Pleas
Cause # : 2022CP3801184
Nature of Case : Personal Injury
Matter Users:

Kelly Liddy-Alderson kelly.liddy-alderson@cummins.com
 Sara Cummins sara.cummins@cummins.com
 Roselyn Arnold roselyn.arnold@lathropgpm.com
 Raymond Rushing raymond.rushing@cummins.com

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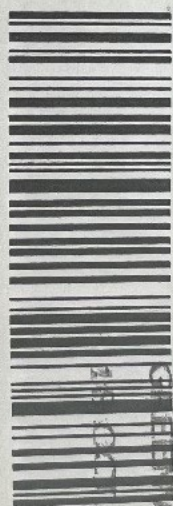
Cox & Cole,
Attorneys at Law

Post Office Box 315
Williamston, SC 29697

RETURN RECEIPT
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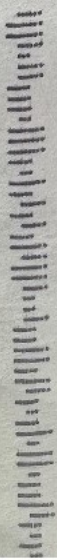
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47246

Randy M. Gearhart
Registered Agent for M. Hart Expre
315 Wauhington St
Hope, IN 47246 P-21-22

47246-121415



REGISTERED
MAIL